

S. AMANDA MARSHALL, OSB #953473  
United States Attorney  
District of Oregon  
AMY E. POTTER  
Assistant United States Attorney  
amy.potter@usdoj.gov  
405 E. 8th Ave., Ste. 2400  
Eugene, Oregon 97401  
Telephone: (541) 465-6771  
Facsimile: (541) 465-6917  
Attorneys for the United States

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF OREGON**  
**EUGENE DIVISION**

**UNITED STATES OF AMERICA**

**Case No. 6:12-CR-00330-AA**

**v.**

**LOGAN SCOTT MITCHELL,**

**Defendant.**

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**GOVERNMENT'S  
SENTENCING MEMORANDUM**

Sentencing Date: November 5, 2013  
10:00 a.m.

The United States of America, by and through S. Amanda Marshall, United States Attorney for the District of Oregon, and Amy E. Potter, Assistant United States Attorney, hereby submits this sentencing memorandum in anticipation of the sentencing of defendant Logan Scott Mitchell. Defendant pleaded guilty to being a felon in possession of a firearm on July 18, 2013.

**I. FACTUAL BACKGROUND**

On February 21, 2012, a state search warrant was served on Logan Scott Mitchell's Albany residence. Law enforcement found methamphetamine, marijuana, firearms, ammunition,

and stolen property during the execution of this search warrant. A loaded .45 caliber pistol was found in a dresser drawer located in defendant's bedroom. Six additional firearms were in a gun safe. One of the firearms was stolen.

## **II. GUIDELINES CALCULATIONS**

The parties agree that the following guideline calculation apply in defendant's case:

(1) USSG §2K2.1(a)(4) – Base Offense Level	20
(2) USSG §2K2.1(b)(1)(A) – 7 firearms	2
(3) USSG §2K2.1(b)(4) – stolen firearm	2
(4) USSG § 3E1.1 – Acceptance of Responsibility	- 3
Total Offense Level	21

Defendant is a criminal history category V, resulting in a guideline range of 70-87 months.

## **III. SENTENCING RECOMMENDATION**

Defendant, who is a felon, was in possession of multiple firearms. At least one of the firearms was stolen and he was in possession of other stolen property. He spent time in custody until he was released on pretrial supervision in June 2012. He has performed well since his release. A low-end sentence of 70 months' imprisonment is appropriate considering the nature and circumstances of the offense, the need for deterrence, and the history and characteristics of the defendant. *See* 18 U.S.C. § 3553.

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#### IV. CONCLUSION

A low-end, guideline sentence of 70 months imprisonment is sufficient, but not greater than necessary, to comply with the factors under 18 U.S.C. § 3553(a).

Dated this 30th day of October 2013.

Respectfully submitted,

S. AMANDA MARSHALL  
United States Attorney

/s/ Amy E. Potter  
AMY E. POTTER  
Assistant United States Attorney